IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

WP(C).No. 33894 of 2006(I)

PETITIONER:

K.M.PUSHPA BAI, ASSISTANT REGIONAL OFFICE, ALAPPUZHA, KERALA STATE CO-OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT BANK.

BY ADV. SRI.D.SOMASUNDARAM

RESPONDENTS:

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1. KERALA STATE CO-OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD., THIRUVANANTHAPURAM, REPRESENTED BY ITS GENERAL MANAGER.

2. REGISTRAR OF CO-OPERATIVE SOCIETIES, THIRUVANANTHAPURAM.

BY ADV. SRI.V.G.ARUN
GOVT. PLEADER SRI. P.K. RAVI KRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF RELEVANT PORTION OF SENIORITY LIST.

EXT.P2 DO. SUB RULES FRAMED BY R1.

EXT.P3 REPRESENTATION DT. 1-2-2004.

EXT.P4 DO. DT. 15-11-2006.

EXT.P5 DO. DT. 15-11-2006 SUBMITTED BEFORE R2.

EXT.P6 PROCEEDINGS DT. 7-10-2006.

[TRUE COPY]

P.S TO JUDGE.

S. Siri Jagan, J.

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W.P(C) No. 33894 of 2006

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Dated this, the 27th February, 2007.

J U D G M E N T

Petitioner is an Assistant in the service of the 1st respondent-Bank from 14-11-1986 onwards. The petitioner claims that she is a graduate having HDC qualification and that she is qualified for promotion to the cadre of Assistant Manager. According to the petitioner, she is the senior-most person entitled to be so promoted. Her complaint in this writ petition is that although there are three regular vacancies of Assistant Manager, the Board of Directors of the 1st respondent-Bank is not making promotions to those vacant posts. She would submit that she has been stagnating in the present post for years together and as such the Board of Directors have a duty to consider filling up the vacant posts. According to the petitioner, the Board of Directors have deferred promotion to these posts alone and have made promotions to all other vacant posts, which, according to her, is with ulterior intentions.

2. I do not propose to go into the correctness or otherwise of the allegations in this writ petition since the petitioner has already moved the 2nd respondent-Registrar of Co-operative Societies in this matter, who is a competent authority to deal with such matters, by filing Ext. P5 representation. Therefore, it is only proper that I direct the 2nd respondent to consider and pass orders on Ext. P5 expeditiously. This the 2nd respondent shall do within five weeks from the date of receipt of a copy of this judgment. The petitioner shall also be afforded an opportunity of being heard, if she so wishes. A copy of the order on Ext. P5 shall be served on the petitioner

immediately after passing the same. The writ petition is disposed of as above.

Sd/- S. Siri Jagan, Judge.

Tds/